



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

# State Water Resources Control Board

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## Division of Water Quality

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**Gray Davis**  
Governor

July 3, 2000

Members and Alternates:

### MEETING OF THE AB 982 PUBLIC ADVISORY GROUP

The AB 982 Public Advisory Group (PAG) will meet on Thursday and Friday, July 13 and 14, 2000 at the Offices of the Sanitation Districts of Los Angeles County, 1955 Workman Mill Road, Whittier, California. Directions to the meeting location are enclosed.

Please find enclosed the meeting agenda and the documents prepared to support many of the agenda items. The revised version of the proposal for a comprehensive surface water quality monitoring program will be sent separately. If you are planning to have handouts, please bring at least 50 copies for the PAG members and audience.

If you have any questions regarding the PAG or the meeting, please call me at (916) 657-1108. You may also call Gita Kapahi, the staff liaison to the PAG, at (916) 657-0883.

Sincerely,

Craig J. Wilson, Chief  
Bays and Estuaries Unit  
Division of Water Quality

Enclosures

cc: Interested Parties

# AB 982 Public Advisory Group

Thursday, July 13, 2000, 9 a.m. to 5 p.m.

Joint Administrative Office  
Sanitation Districts of Los Angeles County  
1955 Workman Mill Road  
Whittier, California

## A G E N D A (DAY 1)

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1. *Convene Meeting* – Co-Chairs
  
2. *June 16, 2000 Meeting Summary*  
Action Item: Consider approval of Meeting Summary (Attached)
  
3. *Draft Proposal for a Comprehensive Surface Water Quality Monitoring Program*
  - Revised Draft Proposal (To be sent separately)
  - Announcement of the Scientific Review of the Proposal
  
4. *Review of Consensus Points and Issues* (Attached)
  - Monitoring
  - Listing Issues
  - TMDL Issues

Action Item: Consider developing a workplan to track progress of PAG discussions.
  
5. *Continued Discussion of Issues Related to Total Maximum Daily Loads*
  - Integration of Water Quality and Other Programs

Action Item: Consider developing additional consensus points.
  
6. *Adjourn to July 14, 2000 at 9 am.*

# AB 982 Public Advisory Group

Friday, July 14, 2000, 9 a.m. to 4 p.m.

Joint Administrative Office  
Sanitation Districts of Los Angeles County  
1955 Workman Mill Road  
Whittier, California

## **A G E N D A (DAY 2)**

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7. *Reconvene Meeting* – Co-Chairs

8. *Staff Report on the Structure and Effectiveness of the State's Water Quality Program as it relates to Clean Water Act Section 303(d)*  
(The draft report will most likely be handed out on July 13, 2000.)

9. *Continued Discussion of Issues Related to Total Maximum Daily Loads*

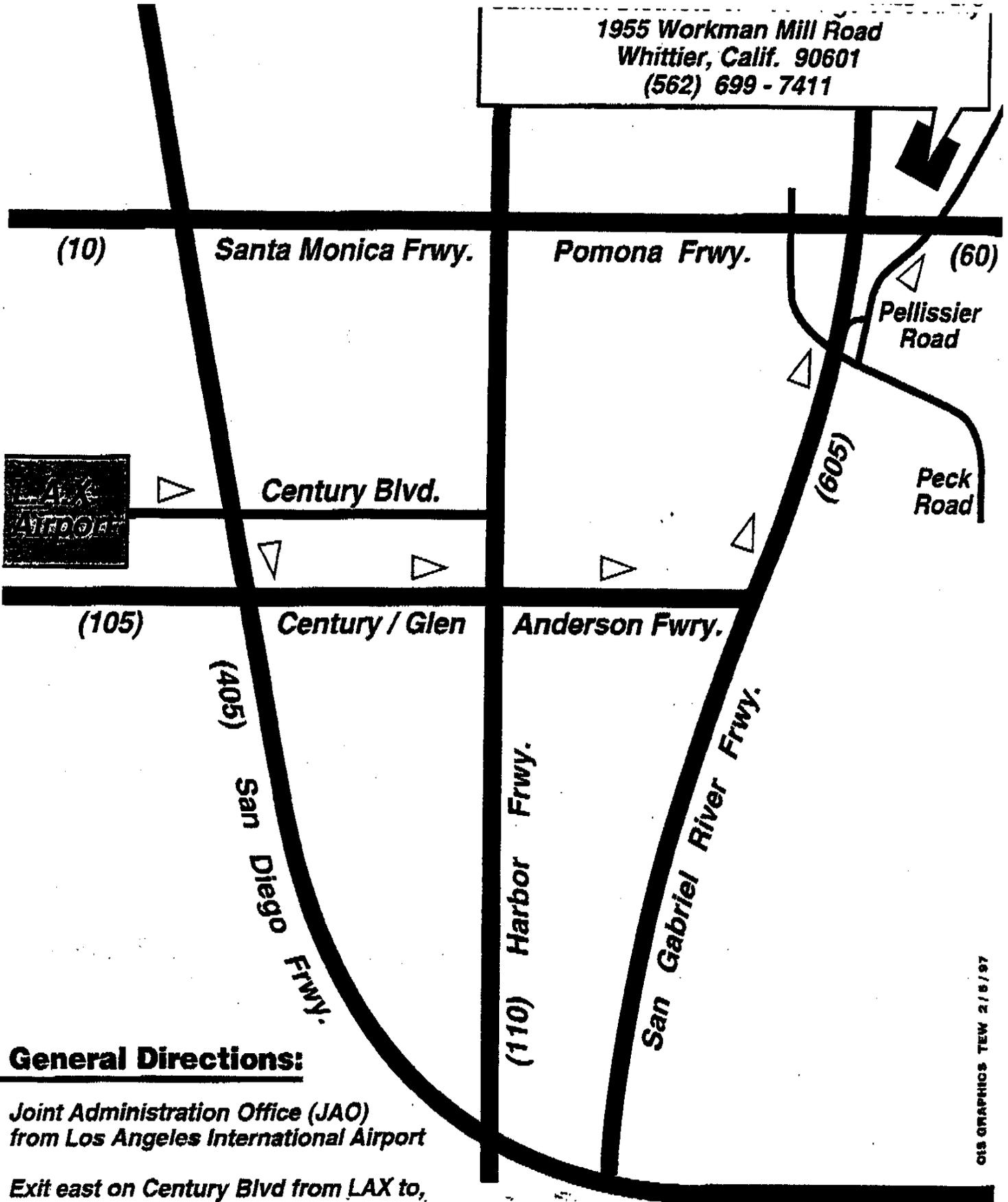
- Interim permits
- NPS management plan and implementation
- Role of environmental and economic impact analysis
- Narrative Standards/numeric targets
- Science and monitoring (adaptive management)

Action Item: Consider developing additional consensus points.

10. *Public Forum* (Any person may address the PAG on issues not on the Agenda.)

11. *Adjourn*

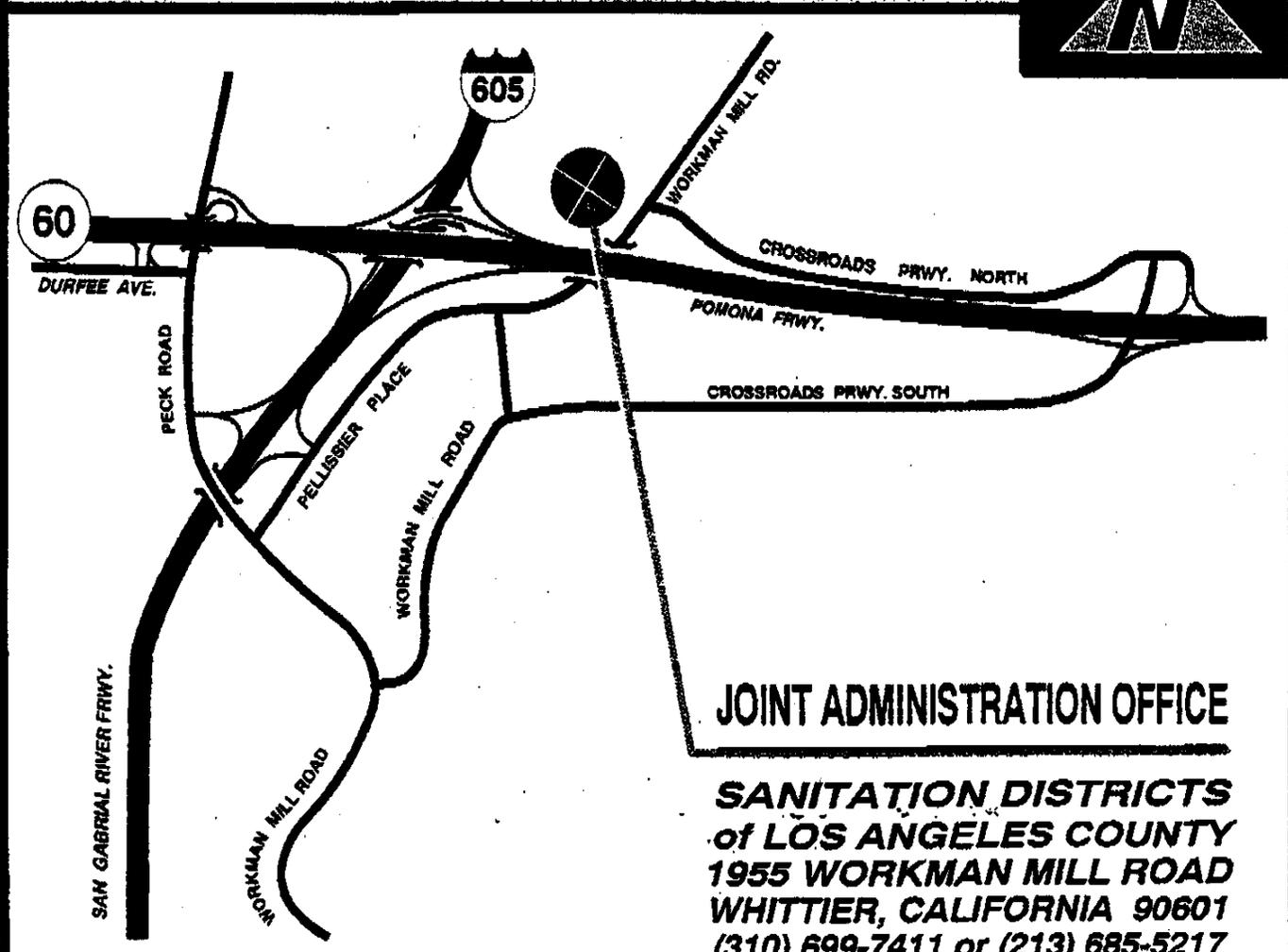
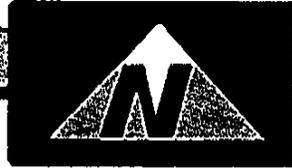
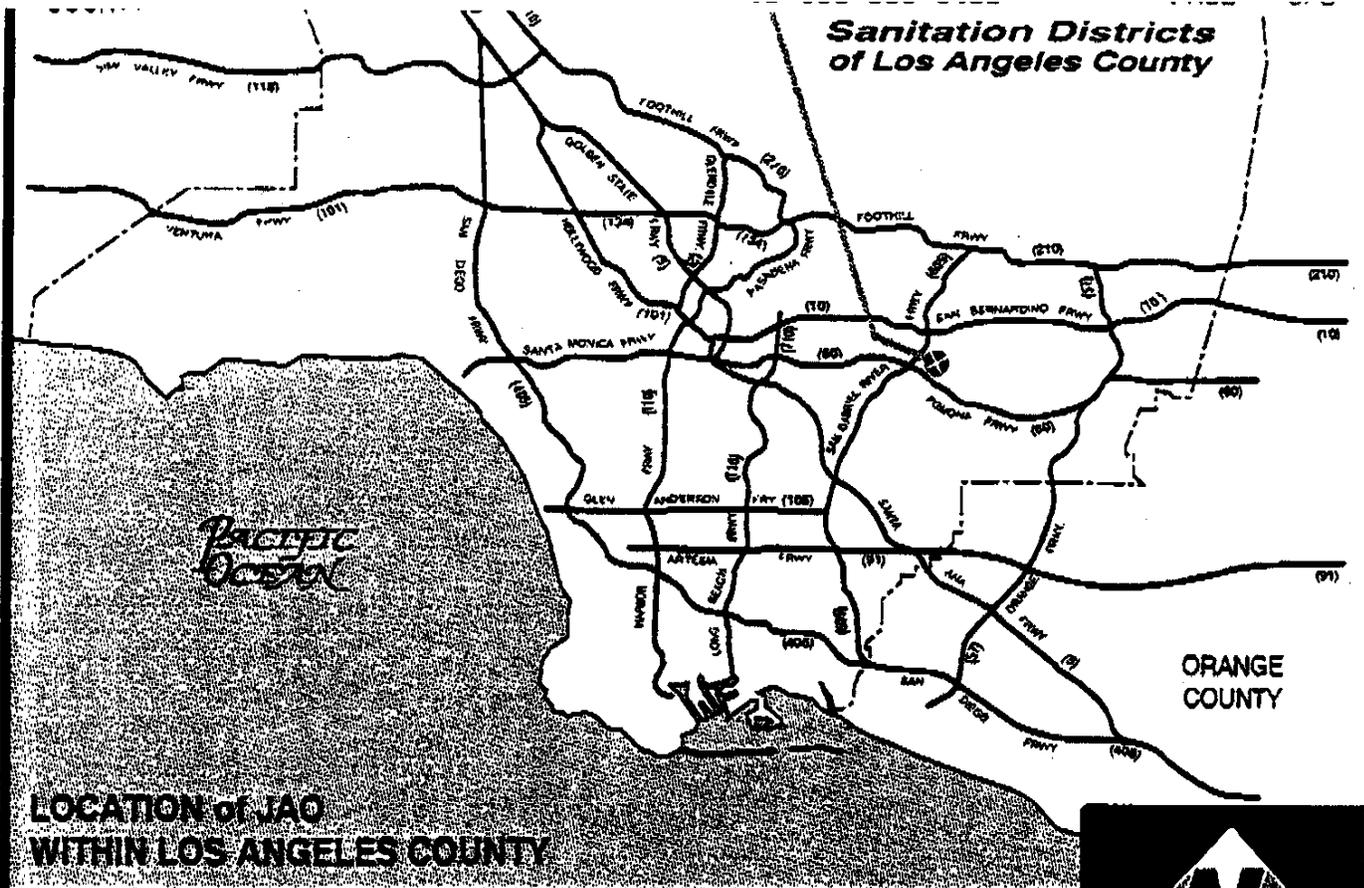
1955 Workman Mill Road  
Whittier, Calif. 90601  
(562) 699 - 7411



**General Directions:**

*Joint Administration Office (JAO)  
from Los Angeles International Airport*

*Exit east on Century Blvd from LAX to,  
South bound (405) San Diego Frwy. to,  
East bound (105) Century / Anderson Frwy. to,  
North bound (605) San Gabriel River Frwy. to,  
Peck Road (offramp), left turn from offramp onto Pellissier Road,  
travel approximately 1/3 mile north on Pellissier Road passing under Pomona Frwy. to,  
JAO Office and parking lot immediately on left... parking in front of building.*



**JOINT ADMINISTRATION OFFICE**

**SANITATION DISTRICTS of LOS ANGELES COUNTY**  
**1955 WORKMAN MILL ROAD**  
**WHITTIER, CALIFORNIA 90601**  
**(310) 699-7411 or (213) 685-5217**

**JAO VICINITY MAP**

OIS/TSW 10/8/94

## AB 982 Public Advisory Group

Meeting Held June 16, 2000  
Hearing Room, State Water Resources Control Board  
Sacramento, California

### Meeting Summary

June 16, 2000

**Welcome and Convene Meeting:** Co-chair Craig Johns convened the meeting at 9:15 a.m. and declared a quorum. Members were asked to introduce themselves.

**Proxies:** In the event votes needed to be taken, proxies were submitted for Bob Caustin, Mark Rentz, Pat Blacklock and Jim Noyes. (In fact, no votes were taken during the meeting and therefore no proxies were used.)

**Groundrules:** For the benefit of members who didn't attend the May meeting, Steve Ekstrom (facilitator) pointed to the groundrules adopted by Public Advisory Group (PAG). A member also reminded everyone that PAG had agreed in May to use caucuses on an as needed basis.

**July meeting:** Information on dates and location of the July meeting was presented. The meeting will be held on July 13<sup>th</sup> and 14<sup>th</sup> at the Los Angeles County Sanitation Districts Office, 1955 Workman Mill Road, Whittier, California. For more logistics information members should contact Gita Kapahi (916/657-0883).

**Summary of May 4-5, 2000 meeting:** The summary was approved by consensus.

**Draft Proposal for a Comprehensive Surface Water Quality Monitoring Program:** Craig J. Wilson summarized the draft proposal, noting that most of PAG's consensus items were incorporated in the document. The proposal, which is designed to give Regional Water Quality Control Boards (RWQCBs) a framework, has two foci: (1) documentation of general ambient water quality conditions in clean and polluted areas, and (2) identification of specific problems in targeted watersheds. The proposal is not based on a specific budget, and can be scaled up or down in proportion to available resources.

Several members questioned the proposed "probability-based approach" mentioned in items 6 and 7 on page 13, indicating that it was appropriate for large waters such as bays, estuaries or the ocean, but not appropriate for inland waterways. After much discussion it was agreed that members with concerns on this, or other matters in the proposal, should submit written comments to Craig Wilson by June 30. Craig will rewrite the proposal based on members' input where appropriate and return the next draft to PAG by July 7 in the packet for the July 13-14 meeting. The PAG agreed to waive the 10-day notification

rule in this instance. Additionally, Dave Paradies will email to all members a description of various approaches for monitoring water quality in inland waterways. Other members with relevant information on monitoring that they'd like to share with the PAG are also encouraged to use email to circulate such information.

**Scientific Review of the Draft Proposal for a Comprehensive Surface Water Quality Monitoring Program:** Craig Wilson stated that the original plan called for the formation of a standing committee, but that this would be difficult to support with limited staff resources. Instead he proposed a one-time workshop, a large group meeting of scientists who could advise on the scientific merits or problems inherent in the draft proposal. Wilson indicated the possibility that the State Water Resources Control Board (SWRCB) could pay for travel for some participants. Further, he suggested the meeting be held after the July PAG meeting.

Members expressed support for not forming a standing committee but expressed concerns about the design of the meeting (it shouldn't employ a standard testimonial-based approach), and the possibility that a one time meeting could be too superficial. Following much discussion it was agreed to hold caucuses so that environmental and regulated community representatives could clarify their positions. After the caucus break, and following more discussion, the following was agreed to by consensus:

- It will be a one day workshop.
- There will be time for substantial review periods by scientists and PAG before and after the workshop.
- Regulated and environmental community representatives on PAG will nominate up to six scientists each and will submit these names to Craig Wilson by June 30.
- Craig Wilson will examine the list, look for "holes" or gaps in knowledge/experience, and based on this examination recommend other names.
- The meeting of scientists will be held on August 10 in northern California (time and specific location to be determined) and will precede the PAG meeting which will be moved from August 10 to August 11.
- After PAG members have commented on the current monitoring draft proposal (by 6/30) Craig Wilson will revise the draft as appropriate and circulate it to PAG and scientists by July 7.

**Review of Consensus Points and Issues:** No PAG members asked to review any of the items arrived at by consensus or vote from previous meetings.

**Continued Discussion of Issues Related to Total Maximum Daily Loads:** Linda Sheehan began the discussion by asking that staff prepare a document describing the SWRCB's current TMDL program, so that PAG members would have something to react

to. Craig Wilson agreed to see that such a document is prepared and will have it available for the July meeting. However, Wilson indicated it may not be possible to have it ready for the July mailing in which case it would be handed out at the meeting.

Members agreed to address several topics suggested by environmental community representatives: (1) funding; (2) who should develop TMDLs?; (3) peer review; and (4) integrating TMDL and other water quality efforts. After significant dialogue, the following were agreed to by consensus:

1. The PAG encourages the RWQCBs to consider TMDL development when approving Supplemental Environmental Projects (SEPs) not otherwise legally required of dischargers.
2. The SWRCB and RWQCBs should allocate adequate resources and staff positions to develop and maintain appropriate TMDL expertise in-house.
3. The SWRCB should establish an integrated, complementary and not conflicting approach to implement the State's Section 303(d) responsibilities and to attain water quality standards.

NOTE: Members agreed that item 3 above was a broad statement and that they need to consider more specific issues (e.g., coordination with other Boards such as the Air Resources Board) at a later meeting. Also, members agreed to address the peer review topic at a later meeting.

**Public Forum:** Members of the public were asked to comment. None chose to do so.

**Adjourn:** The meeting was adjourned at 4:00 p.m..

**AB 982 Public Advisory Group**

Discussed March 3, March 23-24,  
~~and~~ May 4-5, and June 16, 2000

***Issues addressing the structure and effectiveness of the  
SWRCB Water Quality Program as it relates to  
Clean Water Act Section 303(d)***

**Introduction**

The State Water Resources Control Board (SWRCB) is required to report to the Legislature on the structure and effectiveness of its water quality control program as it relates to Section 303(d) of the Clean Water Act. The Public Advisory Group (PAG) has begun discussions on the issues that should be addressed by the SWRCB in reviewing the State's program. This is a compilation of the issues identified by the PAG.

This document is separated into three sections: (1) an Introduction, (2) Consensus Points, and (3) Issues yet to be discussed fully. In parts (2) and (3) the issues are organized under four headings: monitoring, listing, consistent Total Maximum Daily Load (TMDL) process, and consistent TMDL elements.

Any issues that are marked with ~~strikeout~~ have been: (1) discussed and moved to the points of consensus or points approved by vote, or (2) included or addressed in the SWRCB's proposals.

Please note: This document is subject to revision.

## Points of Consensus

### Monitoring

1. The State Water Resources Control Board should develop an umbrella program that monitors and interprets that data for each hydrologic unit at least one time every five years. By umbrella program, we mean a minimum baseline monitoring program that focuses on all waters of the State and does not focus on individual discharges or problems.
2. The Program will have consistent monitoring methods with respect to sampling and analysis, data quality objectives, and centralized reporting requirements.
3. The Regional Water Quality Control Boards should be able to conduct additional monitoring for Regional priorities and that monitoring shall be done in accordance with protocols and methodologies laid out in the Program. The Regional Boards shall utilize Statewide templates and protocols in developing their monitoring programs.
4. The Program shall require that to the extent possible, all existing data is verified, useable, and accessible to the public through a centralized location. Future data collected will be recorded along with methods and QA/QC documentation through some State issued template so that it is coordinated.

### Point Approved by Vote

The program for monitoring and TMDLs should include a component that identifies pollutants created or mobilized in areas that effect each waterbody.

### Listing

1. The State Water Resources Control Board should formally adopt a Policy, and a means to implement the Policy, for the Regional Water Quality Control Boards on what constitutes reasonable minimum acceptable credible information. The Policy should also include the methods for determining whether to list or delist water segments on the Section 303(d) list consistent with Federal law.
2. The State Water Resources Control Board should formally adopt a Policy to maximize the Regional Water Quality Control Boards consideration of existing data during the 303(d) process.

### Consistent TMDL Process

1. TMDLs should be established and implemented in accordance with the Clean Water Act, and where applicable, the Porter Cologne Water Quality Control Act and other relevant state and federal laws.

2. State and Regional Boards should accelerate the development of high priority TMDLs and the legislature should provide adequate funding to accomplish that goal.
3. PAG finds that there are inadequate resources for the state to fulfill its obligation under the TMDL program. Therefore, PAG recommends there be adequate resources for the development and implementation of effective TMDLs statewide. Further, PAG recommends that the Regional Boards assess and request resource needs for an adequate 303(d) listing process and TMDL development/implementation through the State Board from the Legislature.
4. Regional Water Quality Control Boards must maintain active oversight over TMDL development sufficient to assure unbiased technical assessment.
5. Encourage, where appropriate, early external peer review.
6. Develop a mechanism, including funding, to encourage and maintain balanced stakeholder representation, and assure that stakeholders are afforded the opportunity to participate meaningfully, in accordance with TMDL deadlines.
7. [The PAG encourages the RWQCBs to consider TMDL development when approving Supplemental Environmental Projects \(SEPs\) not otherwise legally required of dischargers.](#)
8. [The SWRCB and RWQCBs should allocate adequate resources and staff positions to develop and maintain appropriate TMDL expertise in-house.](#)
9. [The SWRCB should establish an integrated, complementary and not conflicting approach to implement the State's Section 303\(d\) responsibilities and to attain water quality standards.](#)

#### Point Approved by Vote

PAG supports immediate establishment of high priority TMDLs in accordance with law, and requests appropriate funding from the Legislature.

## Issues Yet to be Discussed Fully

### Monitoring

Objectives of a Statewide monitoring program

- The right questions
- Ambient vs. TMDL monitoring (source identification and effectiveness monitoring)
- Use monitoring to find solutions and to find the root cause
- Pollution prevention monitoring
- Effectiveness monitoring
- Source prevention/monitoring should have equal time allotted to them
- Goal is to have a plan that will achieve clean water in California
- Monitoring objective for TMDL development

Monitoring to support Basin Planning efforts including development of water quality objectives

Monitoring for Stormwater/NPS discharges to fill data gaps

Require federal government to monitor all or high risk waterbodies

Setting priorities for monitoring

Monitoring: where, when?

Involve UC/Cal State to help fill in data gaps where feasible

Scientific and statistically significant protocols

- Accurate indicators
- Indicators in people
- Aquatic life references should be consistent

Background levels/reference conditions

Data management

- Baseline Protocol for database
- Data accessibility
- Approach for making data accessible
- Minimum statewide data requirements (Baseline benchmark)
- Consolidating existing data sets from agencies
- All data collected will be recorded along with its supporting methods and QA/QC documentation (metadata) through a State template

Use of Geographical Information System

Funding sources for monitoring

Public involvement in monitoring activities

Voluntary proactive approaches

Integration of monitoring requirements with scientific advisory group

Legal authority to take access on private property or to engage monitoring or take samples

Are data taken from private property considered public information?

Assessment of overall resource needs for monitoring

Levels of implementation (RWQCBs, landowners/municipalities, and citizen)

## Listing

Establishment of “warning levels”

Monitoring program support of listing determinations

Setting priorities:

- Within Watersheds
- Regional
- Statewide

Retroactive use of monitoring data

Funding sources for evaluating listing and delisting

## Consistent TMDL Process

How do State and Federal laws integrate?

Look at other State programs dealing with water quality issues

Multi-jurisdictional coordination of agencies and regions

Adaptive Management Process

Implementation Plans

## Implementation Schedules

Private sector involvement

TMDL education

- Development
- Implementation

Funding for stakeholder processes

Federal/State buyoff on stakeholder processes

Interim Permit Limits Pending TMDL Adoption

Economic Impact Analysis

Environmental Benefits Analysis

TMDL Enforceability

Legal compliance with other statutes (e.g., CEQA)

## Consistent TMDL Elements

Ensure Beneficial Uses adequately protected

TMDL Guidelines and Schedule

Waste Load Allocation

- Methods (data/model/best professional judgement)
- Linkage between water quality control measures, water quality impairment and expected benefits
- Stormwater downstream from sources
- Point, nonpoint, historical, local/global, atmospheric natural sources
- Unregulated sources
- Natural loading

Link between SWRCB NPS program and TMDLs

Point/nonpoint/historical sources

- Source identification
- Watershed Management Approach

Persistent Bioaccumulative Toxics

- Strategy for what PBTs to monitor for and where to monitor in all branches of the food web

The relationship between “watershed management” and TMDLs

Economic impact analysis

Pollution prevention